

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

***United States Attorney  
Carol C. Lam***

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***For Immediate Release***

**NEWS RELEASE SUMMARY** - May 5, 2005

United States Attorney Carol C. Lam announced that today a federal jury found defendant Gabriel Ortiz-Romero guilty of 16 counts of felony alien smuggling for his part in a smuggling venture that resulted in the death of an undocumented alien. The jury convicted Ortiz-Romero of the following felony offenses: one count of bringing in an illegal alien resulting in death; one count of transporting an illegal alien resulting in death; seven counts of bringing in illegal aliens for financial gain; and seven counts of transporting illegal aliens.

The evidence at trial established that on January 30, 2004, a smuggling guide or “coyote” walked a group of undocumented aliens into the United States from Mexico through the hills near Tecate, California. The aliens walked all night and then waited with the guide, Blas Valdez-Valenzuela, at a prearranged pick-up spot in East San Diego County. On the morning of January 31, 2004, the defendant, Ortiz-Romero, picked up Valdez-Valenzuela and 11 smuggled aliens in a Mercury Villager minivan. Ortiz-Romero and Valdez-Valenzuela were the only occupants wearing seatbelts. The middle bench seat of the minivan had been

removed, and the 11 smuggled aliens were lying and crouching down on the rear floorboard of the minivan, one alien on top of another. Ortiz-Romero instructed the aliens to “get down” to avoid being spotted by United States immigration officials.

While en route on Interstate 8, westbound near Lake Jennings Road, the minivan blew a tire, Ortiz-Romero lost control, and the vehicle began to roll, coming to rest in the median between the eastbound and westbound lanes of Interstate 8. One of the smuggled aliens died from blunt force injuries to the head sustained when the van rolled. Other occupants suffered serious injuries.

Motorists who witnessed the accident quickly alerted law enforcement officials that, shortly after the van came to a rest in the median, two men were seen fleeing the accident scene on foot. Moments later, a California Highway Patrol Officer found Ortiz-Romero and Valdez-Valenzuela about half a mile away from the accident scene. Ortiz-Romero was bleeding from a head wound. Another California Highway Patrol Officer found blood on the driver’s shoulder restraint belt, on the driver’s headrest, and on a trim piece above and to the left of the driver’s seat. DNA analysis by the San Diego Sheriff’s Crime Laboratory established that the blood on the seatbelt, headrest and trim piece came from Ortiz-Romero. In addition, many of the aliens involved in the accident testified at Ortiz-Romero’s trial, including five aliens who returned from Mexico for that purpose. The Mexican consulate assisted in the witnesses’ return to the United States to testify. In court, several of these witnesses identified Ortiz-Romero as the driver.

Ortiz-Romero faces a maximum sentence of life in prison and a minimum mandatory sentence of five years in prison. He is scheduled to appear for sentencing before the Honorable Napoleon A. Jones, Jr., on August 15, 2005, at 8:15 a.m. The guide, Blas Valdez-Valenzuela, previously pled guilty to one count of bringing in an illegal alien resulting in death and one count of bringing in an illegal alien for financial gain. Valdez-Valenzuela is scheduled to appear for sentencing before Judge Jones on May 23, 2005, at 8:15 a.m.

United States Attorney Lam said, “The United States Attorney’s Office will continue to aggressively prosecute these smugglers of human cargo, whose conduct endangers the public, law enforcement officials, and the lives of undocumented aliens entering the United States.”

## **DEFENDANTS**

Gabriel Ortiz-Romero  
Blas Valdez-Valenzuela

## **SUMMARY OF CHARGES**

Title 8, United States Code, Section 1324(a)(1)(A)(i), (v) (II) and (a)(1)(B)(iv) - Bringing an Illegal Alien to the United States Resulting in Death and Aiding and Abetting.

Maximum penalties: A maximum of life in prison and a \$250,000 fine.

Title 8, United States Code, Section 1324(a)(1)(A)(ii), (v) (II) and (a)(1)(B)(iv) - Transportation of an Illegal Alien Resulting in Death and Aiding and Abetting.

Maximum penalties: A maximum of life in prison and a \$250,000 fine.

Title 8, United States Code, Section 1324(a)(2)(B)(ii) and Title 18, United States Code, Section 2 - Bringing in Illegal Aliens for Financial Gain and Aiding and Abetting.

Maximum penalties: A minimum of three years in prison and a maximum of 10 years in prison for the first and second offense; a minimum of five years in prison and a maximum of 15 years in prison for any other offense; and a \$250,000 fine.

Title 8, United States Code, Section 1324(a)(1)(A)(ii) and (v)(II) - Transportation of Illegal Aliens and Aiding and Abetting.

Maximum penalties: A maximum of five years in prison and a \$250,000 fine.

## **AGENCIES**

California Highway Patrol  
United States Immigration and Customs Enforcement  
United States Border Patrol  
San Diego County Sheriff's Office  
San Diego Sheriff's Crime Laboratory  
San Diego County Medical Examiner